



21 May 2015

3/18 Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Dear Sirs

**THE PROPOSED PORT TALBOT STEELWORKS (POWER GENERATING  
ENHANCEMENT) ORDER  
PLANNING INSPECTORATE REFERENCE NUMBER: EN010062**

The Welsh Ministers confirm that, for the purposes of section 135 of the Planning Act 2008 ("PA 2008"), The Welsh Ministers consent to the making of the Order, subject to the inclusion of an Article , materially in the form below, in the Order:  
Crown rights

[ ] —(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular nothing in this Order authorises the undertaker or any licensee to—

(a) take, use, enter upon or in any manner interfere with any land or rights of any description (including any portion of the shore or bed of the sea or any river, channel, creek, bay or estuary)—

(i) belonging to Her Majesty in right of the Crown and forming part of the Crown Estate without the consent in writing of the Crown Estate Commissioners; or

(ii) belonging to Her Majesty in right of the Crown and not forming part of the Crown Estate without the consent in writing of the government department having the management of that land; or

(iii) belonging to a government department or the Welsh Government or held in trust for Her Majesty for the purposes of a government department without the consent in writing of that government department; or

(b) to exercise any right under this Order compulsorily to acquire an interest in any land which is Crown land (as defined in the 2008 Act) which is for the time being held otherwise than by or on behalf of the Crown without the consent in writing of the appropriate Crown authority (as defined in the 2008 Act).

(2) A consent under paragraph (1) may be given unconditionally or subject to terms and conditions, and is deemed to have been given in writing where it is sent electronically.



In relation to the provisions in the Order regarding compulsory purchase powers which Tata Steel UK Limited may be seeking in relation to interests in The Welsh Ministers' land falling within Section 135(1) PA 2008, The Welsh Ministers consent to their inclusion in the Order, The Welsh Ministers however reserve their rights as regards the consent of The Welsh Ministers to the exercise of such compulsory purchase powers, as provided for in section 135(1)(b) PA 2008 and expressly confirmed by Part 5 of the draft Order. The grant of consent to exercise such compulsory purchase powers, which remains at the discretion of The Welsh Ministers will be conditional upon:-

1. Tata Steel UK Limited, the relevant holder of an interest in Crown land (as defined in Section 135(1) PA 2008 and The Welsh Ministers having first worked to find a solution which avoids the use of such compulsory purchase powers; and
2. Welsh Ministers require early and ongoing engagement in relation to addressing the interests of The Welsh Ministers and any relevant interests falling within Section 135(1) PA 2008 (as defined).

The approvals provided in this letter are conditional upon the draft Article being included in the Order and any other provisions of the draft Order which are subject to Sections 135(1) and 135(2) PA 2008 remaining materially as stated in the draft Order (Version 3.01 Rev 2 March 2015) The Welsh Ministers will require further consultation with it if any variation to the draft Order is proposed during the examination period which could affect such provisions.

The Welsh Ministers have a range of functions which will continue to accrue and be amended and the decisions in relation to each such function are obliged to be taken in the light of all relevant and to the exclusion of all irrelevant considerations. Nothing contained or implied in or arising under or in connection with this letter shall in any way prejudice fetter or affect the functions of The Welsh Ministers or any of them nor oblige The Welsh Ministers or any of them to exercise or refrain from exercising any of their functions in any particular way.

This request falls within the portfolio of the Minister for Economy, Science and Transport. This letter is approval issued in accordance with Section 135(2) PA 2008, subject to the conditions referred to above.

Yours faithfully



**Gwenllian Roberts**  
**Deputy Director Energy & Environment Sector**